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[Additional Counsel and Parties Appear at  
End]

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

RECLAIM CENTER, INC.; *et al.*,  
Plaintiffs,

v.

SAMSUNG ELECTRONICS CO., LTD; *et al.*,  
Defendants.

Civil Case No.: C-06-6533 SI

MDL 1819 (pending)

**STIPULATION TO STAY PROCEEDING  
PENDING DECISION BY JUDICIAL  
PANEL ON MULTIDISTRICT  
LITIGATION; [PROPOSED] ORDER**

Pursuant to Civil Local Rules 6-1(b) and 6-2 of the United States District Court  
for the Northern District of California, the following parties hereby stipulate to a stay of the  
proceeding for the following good cause:

1. At least 49 complaints have been filed to date in federal district courts by  
plaintiffs bringing class actions on behalf of either direct or indirect purchasers alleging price

fixing by manufacturers of Static Random Access Memory (“SRAM”) (collectively, the “SRAM cases”).

2. There is currently pending before the Judicial Panel on Multidistrict Litigation (“JPML”) a request pursuant to 28 U.S.C. §1407 to consolidate in this district the SRAM cases filed here and in other districts nationwide.

3. On December 14, 2006, the JPML issued a Notice of Hearing Session stating that the request to consolidate the SRAM cases will be heard by the JPML on January 25, 2007 (MDL 1819).

4. The parties agree that, at some point subsequent to that hearing, the JPML is likely to grant the transfer and coordination or consolidation request.

5. In light of the pending request before the JPML, Plaintiffs and Defendants Micron Technology, Inc. and Micron Semiconductor Products, Inc. stipulated on November 13, 2006 to extend the time for these Defendants to respond to the Complaint in the above-captioned action to the earlier of the following two dates: (1) thirty days after the filing of a Consolidated Amended Complaint in the SRAM cases; or (2) thirty days after Plaintiffs provide written notice that they do not intend to file a Consolidated Amended Complaint, provided that such notice may be given only at or after the initial case management conference in the MDL transferee court in this case. All other defendants in this case, including Integrated Device Technology, Inc., joined in that Stipulation. There have not been any other time modifications in this case.

6. Anticipating a decision by the JPML, two courts in this district have already denied a series of administrative motions to consider whether certain SRAM cases should be related. These courts denied all of these motions without prejudice to renewal following the resolution of the proceedings before the JPML. *See Dataplex, Inc. v. Alliance Semiconductor Corp., et. al*, No. 06-6491 CW (12/14/06 Order of Judge Wilken) (Document 13 in 06-6511 EDL); *see also In re DRAM Litigation*, No. M02-1486 PJH (11/15/06 Order of Judge Hamilton).

1           7.     Given the January 25, 2007 hearing date for MDL 1819, the dates set forth in  
2 the Case Management Scheduling Order filed October 18, 2006, including deadlines imposed  
3 by Federal Rules of Civil Procedure 26, Local Rule 16, and ADR Local Rule 3.5, will come to  
4 pass before the JPML acts on the pending request.

5           8.     District Courts possess the authority to issue stays pending JPML  
6 consideration of motions for transfer and consolidation. *See, e.g., Conroy v. Fresh Del Monte*  
7 *Produce, Inc.*, 325 F. Supp. 2d 1049, 1053 (N.D. Cal. 2004) (“The decision to grant or deny a  
8 temporary stay of proceedings pending a ruling on the transfer of [a] matter to the MDL court  
9 lies within this Court’s discretion.”) (citing *Landis v. North American Co.*, 299 U.S. 248, 254-55  
10 (1936)); *see also Good v. Prudential Ins. Co. of Am.*, 5 F. Supp. 2d 804, 809 (N.D. Cal. 1998)  
11 (“Courts frequently grant stays pending a decision by the MDL Panel regarding whether to  
12 transfer a case.”).

13           9.     A stay pending the JPML’s resolution of the MDL motion would promote  
14 judicial efficiency, allow consistency in pretrial rulings, and be most convenient to the parties,  
15 including the Plaintiffs in the above-captioned action.

1                   10. Accordingly, the parties hereby STIPULATE to and respectfully request the  
2 Court to VACATE its Case Management Scheduling Order filed October 18, 2006 and to  
3 STAY this action pending the JPML's resolution of the MDL motion.  
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6 DATED: December 21, 2006

Respectfully submitted:

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8 By: /s/ Tara M. Steeley  
Anita F. Stork  
James R. Atwood  
Tara M. Steeley  
COVINGTON & BURLING LLP  
Attorneys for Defendant Integrated  
Device Technology, Inc.  
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12 DATED: December 21, 2006

Respectfully submitted:

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14 By: /s/ Matthew R. Schultz  
Francis O. Scarpulla  
Craig C. Corbitt  
Judith A. Zahid  
Matthew R. Schultz  
ZELLE, HOFMANN, VOELBEL,  
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Attorneys for Plaintiffs  
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21 PURSUANT TO STIPULATION, IT IS SO ORDERED.  
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24 Dated: \_\_\_\_\_

25   
26 The Honorable Susan Illston  
United States District Court Judge  
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